

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

WHITE PLAINS HOSPITAL

and

**1199SEIU UNITED HEALTHCARE
WORKERS EAST**

**Cases 02-CA-278517
02-CA-281261
02-CA-281740**

ORDER DENYING MOTION¹

The Respondent's motion for summary judgment is denied. The Respondent has failed to establish that there are no genuine issues of material fact warranting a hearing and that it is entitled to judgment as a matter of law. This denial is without prejudice to the Respondent's right to renew its waiver arguments to the administrative law judge, after presenting relevant evidence, and to raise the waiver issue before the Board on any exceptions that may be filed to the judge's decision, if appropriate.

Dated, Washington, D.C., April 12, 2022.

LAUREN McFERRAN,

CHAIRMAN

MARVIN E. KAPLAN,

MEMBER

DAVID M. PROUTY,

MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel. Member Wilcox did not participate in the consideration of this case.